

Cem

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

07 NOV 13 AM 10:12

FILED  
07 MJ2648

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alejandro SAUCEDO-Virgen

Defendant,

Magistrate Case No. \_\_\_\_\_

DA

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section

1324(a)(2)(B)(iii)

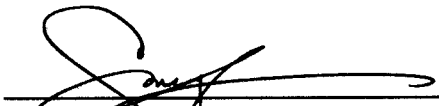
Bringing in Illegal Alien(s)

Without Presentation

The undersigned complainant being duly sworn states:

On or about **November 11, 2007**, within the Southern District of California, defendant **Alejandro SAUCEDO-Virgen**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Imelda PAEZ-Reyes, Blanca PADILLA-Gomez, and Maria Del Rocio JUAREZ-De Dios** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
Signature of Complainant  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **13th** day of **November, 2007**.

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Jorge E. Rosario, declare under penalty of perjury the following to be true and correct:

The complainant states that **Imelda PAEZ-Reyes, Blanca PADILLA-Gomez and Maria Del Rocio JUAREZ-De Dios** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena, and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

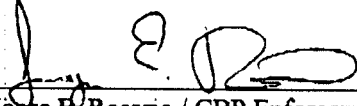
On November 11, 2007 at approximately 9:00 AM **Alejandro SAUCEDO-Virgen** (Defendant) made application for admission into the United States through the Otay Mesa Port of Entry as the driver and sole visible occupant of a 1997 Plymouth Voyager. Defendant presented his valid Visa as his entry document and proof of identity to a U.S. Customs and Border Protection (CBP) officer. Defendant gave a negative declaration to the CBP officer. The CBP officer noticed Defendant was avoiding eye contact, and during a cursory inspection of the vehicle discovered a non-factory compartment underneath the carriage of the vehicle. The CBP officer also noticed what appeared to be a pair of athletic shoes inside of the non-factory compartment. Defendant and the vehicle were escorted to vehicle secondary for a more thorough inspection.

During secondary inspection, CBP officers inspected the vehicle and observed human hair inside the non-factory compartment. CBP officers were unable to access the compartment from inside of the vehicle. CBP officers raised the vehicle utilizing a hydraulic lift and forced open the compartment by bending a metal panel creating enough space to extract the human beings concealed inside of it. Three female individuals were found inside of the non-factory compartment. The individuals were retained as Material Witnesses and are now identified as **Imelda PAEZ-Reyes, Blanca PADILLA-Gomez, and Maria Del Rocio JUAREZ-De Dios**. All Material Witnesses needed Medical attention and were taken to Scripps Memorial Hospital in Chula Vista, California.

During a video recorded interview, Defendant was advised of his Miranda Rights, acknowledged his rights and elected to answer questions without the benefit of counsel. Defendant denied knowledge of the concealed aliens. Defendant denied getting monetary compensation to smuggle people into the United States.

During video recorded interviews, Material Witnesses admitted being citizens of Mexico by virtue of birth in Mexico and to not possessing any legal document to enter into, pass through or remain in the United States. Material Witnesses stated they were going to pay \$3,000.00 to \$3,500.00 USD to be smuggled into the United States. Material Witnesses stated they were going to California.

Executed on November 12, 2007 at 9:00 AM.

  
Jorge E. Rosario / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (one) page, I find probable cause to believe that the defendant named therein committed the offense on November 11, 2007 in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

  
MAGISTRATE JUDGE

11-12-07 @ 2:10 PM  
DATE / TIME